

Exhibit D

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/9/15

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In Re:

TERRORIST ATTACKS
ON SEPTEMBER 11, 2001

ORDER

03 MDL 1570 (GBD)(FM)

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FRANK MAAS, United States Magistrate Judge.

I have received letters from representatives of both the Plaintiffs' Executive Committees and the Defendants' Executive Committee concerning fact discovery. In brief, the plaintiffs say that they want to be assured that each defendant in discovery has completed its production of documents; the defendants say that the defendants in discovery by and large have completed their productions and want a schedule for the filing of any motions to compel that the plaintiffs may wish to make based on alleged inadequacies in the defendants' productions. (See ECF Nos. 2935, 2945).

The Court will hold a discovery conference in Courtroom 20A on Wednesday, May 13, 2015, at 10 a.m., to discuss the issues raised by the letters and, hopefully, to set the schedule that both sides seek. In advance of that conference, by April 22, 2015, any defendant that has yet to complete its production of documents responsive to the plaintiffs' requests must send the Plaintiffs' Executive Committees a letter no more than one page in length describing what remains to be produced, when it will be produced, and why there has been a delay. In particular, if the failure to complete a production is due to government intervention, the letter should explain the circumstances. A copy of each such letter must be sent to me. Any defendant in discovery that fails to send such a letter will be deemed to have completed its document production and to be committed to participating further in the discovery process. Accordingly, defendants that are unaware of any documents remaining to be produced and which intend to participate in discovery should not send either plaintiffs' counsel or the court a letter in response to this Order.

Finally, I would recommend that both sides review their confidentiality designations in advance of the conference. If I conclude that documents have been designated as confidential without justification, it is likely that I will impose sanctions not only on the party that acted improperly, but on its counsel as well.

SO ORDERED.

Dated: New York, New York
April 9, 2015


FRANK MAAS
United States Magistrate Judge

Copies to:

Hon. George B. Daniels (By Hand)
United States District Judge

All Counsel via ECF